

STATE OF MISSOURI)
) ss
 COUNTY OF RIPLEY)

IN THE CIRCUIT COURT OF RIPLEY COUNTY, MISSOURI

IN RE: THE MARRIAGE OF)	
Charles Haynes and)	
Cynthia Haynes,)	
)	
CHARLES HAYNES,)	
SSN: XXX-XX-)	
)	
Petitioner,)	
)	
vs.)	Case No. 13RI-CV00554
)	
CYNTHIA HAYNES,)	CIVIL DIVISION
SSN: XXX-XX-1203)	
)	
Respondent.)	

RESPONDENT'S SECOND AND EMERGENCY MOTION
FOR CHILD CUSTODY PENDENTE LITE

COMES NOW, Petitioner and in his Amended Motion Pendente Lite states as follows:

1. Presently, a Petition for Dissolution of Marriage has been filed in the present case.
2. On August 14, 2018, Counsel visited the Attorney General's office in St. Louis to view images of sexting and child pornography found on the phone of Melissa Hogg. Hogg is the step-daughter of Petitioner and the alleged victim in a four count information in Ripley County, MO that is set for trial the last week of September.
3. Petitioner believes the minor child Sara Haynes could be in danger of abuse and injury based on the images found on the computer. In particular, there were three images featuring her. The first was a photograph of her naked with her buttocks exposed on a bed. The second image, taped by Hogg, had a fully naked child with her genitals clearly

- visible. Hogg asked the child what women are supposed to do and the minor child respond that “women jump on that dick.” In the third video taken by Hogg, she asked the child if she was thirsty to which she replied yes. Hogg asked her what she would like to drink to which the minor child replied “pussy juice.”
4. There were attempts to contact Jeff Johnson with the Missouri Highway Patrol regarding a search warrant for the phone of Melissa Hogg. Cpl. Johnson correctly noted that information would not be sufficient for a search warrant being that the information is five years old and stale.
 5. Counsel intends to subpoena Haley Porter, an investigator with the Public Safety Division of the Missouri Attorney General to bring the videos for an in camera review hearing before the Court. The Attorney General has indicated their litigation team intends to fight the subpoena.
 6. Additionally, it has come to Petitioner’s attention that she has obtained passports for herself and the minor children. Petitioner is concerned she may attempt to flee with the children.
 7. Based on the information mentioned above, Petitioner believes that the household is a danger to the children born of the marriage due to the neglect of Respondent as well as the actions of Melissa Hogg.

Wherefore, Petitioner prays for an Order of this Court removing the children from Respondent’s care pending the entry of a final order in this matter, and for such other and further orders as the Court deems proper and just in the premises.

Respectfully submitted,

Theodore Liszewski, #56400

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ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2018, the foregoing was filed with the clerk of the Mississippi County Court via the Missouri efilings system and served upon all parties in this matter.

/s/ Theodore E. Liszewski
THEODORE LISZEWSKI
Attorney for Petitioner